

Appl. No.: 10/583,811
Amdt. Dated 08/20/2009
Reply to Office Action of 06/17/2009

REMARKS

This amendment is submitted in reply to the outstanding Office Action dated June 17, 2009. Claims 1-16 currently stand rejected.

Applicant has amended independent claims 1, 12, 13 and 16 for clarity. Claims 8, 9 and 11 have been amended to improve their form. Claims 14 and 15 have been amended to correspond to changes made to independent claim 13, from which claims 14 and 15 depend. No new matter has been added by the amendment. Claim 10 has been canceled, without prejudice.

In light of the amendment and the remarks presented below, Applicant respectfully requests reconsideration and allowance of all now-pending claims of the present invention.

Claim Rejections - 35 USC §101

Claim 12 currently stands rejected under 35 U.S.C. §101 as failing to be tied to a particular machine or apparatus or failing to transform an article into a different state or thing. Applicant has amended independent claim 12 to be tied to a particular machine (e.g., a processor) and therefore respectfully submit that the rejection of claim 12 under 35 U.S.C. §101 is overcome.

Claim Rejections - 35 USC §112

Claims 8-11 and 13 currently stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In particular, claim 8 was alleged to lack antecedent basis for the phrase “user terminals” and claims 9-11 were alleged to lack clarity with respect to the term “cameraman”. Claim 13 was alleged to lack clarity for reciting the term “a user” twice.

Applicant has amended claim 8 to correct the deficiency regarding antecedent basis. Claims 9 and 11 have been amended to eliminate reference to a “cameraman”. Claim 10 has been canceled and thus the rejection of claim 10 is now moot. Claim 13 has been amended to clarify that the second incidence of “a user” relates to a user of a different terminal.

Based on the amendments described above, Applicants respectfully submit that the rejections of claims 8, 9, 11 and 13 are overcome.

Claim Objections

Claim 13 drew objection for failing to include “the” prior to a subsequent recitation of the term “network”. Applicant has amended claim 13 to adopt the Examiner’s suggestion of including “the” prior to the term “network”.

Based on the amendment to claim 13, Applicants respectfully request withdrawal of the objection to claim 13.

Claim Rejections - 35 USC §102

Claims 1, 2 and 5-15 currently stand rejected under 35 U.S.C. §102(b) as being anticipated by Wong et al. (U.S. Patent Application Publication No. 2003/0038805, hereinafter “Wong”).

Independent claim 1 has been amended to recite that the presentation engine enables the at least one other user that is not a participant to affect virtual viewing position and angle of the game as seen by the participants. As such, the spectator can not only impact viewing by other spectators, but the spectator can impact the view that participants see. More specifically, the virtual viewing position and the angle of the game as seen by the participants can be altered by the spectator.

This feature was formerly recited in dependent claim 10, which has since been canceled. However, the Office Action cited paragraphs [0085] and [0086] of Wong as disclosing this feature. Applicant respectfully disagrees.

Paragraphs [0085] and [0086] of Wong disclose a spectator experience can be provided to spectators via the spectator server. Wong further discloses that the spectator server can communicate with the game server to provide the game server with information about the spectators and the spectator experience. However, the only resultant impact on the game players in relation to this activity is that “the participants of the game at the game clients 318 can perceive the presence of the spectator audience.” Thus, there is no control offered to a spectator over the virtual viewing position and angle of the game as seen by the participants as provided in

independent claim 1. Accordingly, independent claim 1 is novel and non-obvious in view of Wong.

Independent claims 12 and 13 have also been amended to include similar features to that of independent claim 1 in relation to the ability of a spectator to impact the virtual viewing position and angle of the game as seen by game participants. Accordingly, independent claims 12 and 13 are patentable over Wong for at least the same reasons given above for independent claim 1. Claims 2, 5-9, 11, 14 and 15 depend either directly or indirectly from corresponding ones of independent claims 1 and 13 and therefore include all the recitations of their corresponding independent claims. Dependent claims 2, 5-9, 11, 14 and 15 are therefore patentable over Wong for at least the same reasons given above for independent claims 1 and 13.

For at least the reasons provided above, Applicants respectfully submit that the rejections of claims 1, 2, 5-9 and 11-15 are overcome.

Claim Rejections - 35 USC §103

Claim 16 currently stands rejected under 35 U.S.C. §103(a) as being unpatentable over Wong in view of Shteyn et al. (U.S. Patent Application Publication No. 2003/0220143, hereinafter "Shteyn"). Claim 3 currently stands rejected under 35 U.S.C. §103(a) as being unpatentable over Wong in view of Sobue (U.S. Patent Application Publication No. 2002/0142834). Claim 4 currently stands rejected under 35 U.S.C. §103(a) as being unpatentable over Wong in view of Hsiao (U.S. Patent Application Publication No. 2003/0078100).

As indicated above, Wong fails to teach or suggest that the presentation engine enables the at least one other user that is not a participant to affect virtual viewing position and angle of the game as seen by the participants as recited in independent claim 1. Independent claim 16 has also been amended to include similar features to that of independent claim 1 in relation to the ability of a spectator to impact the virtual viewing position and angle of the game as seen by game participants.

Shteyn, Sobue and Hsiao each also fail to teach or suggest that the presentation engine enables the at least one other user that is not a participant to affect virtual viewing position and

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angle of the game as seen by the participants as recited in independent claims 1 and 16 and are not cited as such. Since Wong, Shteyn, Sobue and Hsiao each fail to teach or suggest the above recited features of independent claims 1 and 16, any combination of Wong, Shteyn, Sobue and Hsiao also fails to teach or suggest such features. Accordingly, independent claims 1 and 16 are patentable over Wong, Shteyn, Sobue and Hsiao, alone or in combination.

Claims 3 and 4 depend directly from independent claim 1 and therefore include all the recitations of independent claim 1. Dependent claims 3 and 4 are therefore patentable over the cited references for at least the same reasons given above for independent claim 1.

For at least the reasons provided above, Applicant respectfully submits that the rejections of claims 3, 4 and 16 are overcome.

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CONCLUSION

In view of the amendment and the remarks submitted above, it is respectfully submitted that the present claims are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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